

with AM2728. (The Beutler amendment is found on pages 354-57 of the Legislative Journal.)

PRESIDENT ROBAK: The Chair recognizes Senator Beutler.

SENATOR BEUTLER: Madam President and members of the Legislature, this amendment has to do with ex parte communications, a rather dry subject which I will take the time to explain to you. It is actually LB 185 which is far, far down the line on General File, but it relates to the Public Service Commission and, therefore, we are seeking to amend LB 185 into LB 414, with the permission of Senator Kristensen. The amendment that is before you now is on page 203 (sic) of your Journal, for those that are interested in following. It's printed in the Journal as an amendment to LB 249 which was our original thought with regard to getting this amended into another bill. But the substance of it is exactly the same as the amendment that is attached here to LB 414. So LB 185, which is being amended into this bill, was advanced out of committee and at the time it was advanced out of committee it continued to carry some opposition from the Motor Carriers Association. But, subsequent to that point in time and over the last summer and fall, agreement has been reached with the Motor Carriers Association so that what is presented to you today as an amendment to 414 is the original bill, as amended by the committee amendments, as amended another time by the negotiations with the last remaining objector to the bill. So, hopefully, at this point, I believe at this point we have a consensus matter dealing with the subject of ex parte communications. The term "ex parte" is a Latin term, it means on one side only and it deals with communications between those who are deciding matters and those who are coming to the decider for a decision. And I think that maybe it's best to explain, by way of analogy, in the judicial system if you're talking about a district court or a county court and the matter is being heard before one of those judges, if I attempted to walk in and talk to the judge at some point in time, I was representing one of the parties and I just kind of slipped into the judge's door and I said something like, judge, you know, this is a tough case, but this old boy has been doing this kind of bad thing for years and years and finally he's been...he's been caught on this, and, you know, he really needs to...he really needs to get his due on this one. And the problem with that is it's a kind of good-old-boy technique which is a violation of the lawyers' code of ethics and which is not allowed in the judicial system